

Cyflwynwyd yr ymateb i ymgynghoriad y [Pwyllgor Cydraddoldeb a Chyfiawnder Cymdeithasol](#) ar [Y Bil Partneriaeth Gymdeithasol a Chaffael Cyhoeddus \(Cymru\)](#)

This response was submitted to the [Equality and Social Justice Committee](#) consultation on [Social Partnership and Public Procurement \(Wales\) Bill](#)

SPPP 09

Ymateb gan: BSI | Response from: BSI



British Standards Institution response to Equality and Social Justice Committee Senedd Consultation: Social Partnership and Public Procurement (Wales) Bill

1. Introduction

BSI is the National Standards Body for the whole of the UK. We are responsible independently for preparing British Standards and for coordinating the input of UK experts to European and international standards committees.

BSI represents the UK view on standards in Europe via the European Standards Organizations CEN and CENELEC and internationally via ISO and IEC. BSI is a member of ETSI (The European Telecommunications Standards Institute) and provides support to DCMS through their membership of ITU (the International Telecommunication Union).

In its role as the UK's National Standards Body, BSI provides the infrastructure for over 13,000 experts, who are the voice of UK economic and social interests, to be influential in the international standards organisations. BSI has a public interest responsibility to develop and maintain the standards infrastructure to support UK emerging industries at home and internationally.

We are pleased to contribute to the Welsh Senedd's Equality and Social Justice Committee's Consultation: Social Partnership and Public Procurement (Wales) Bill. **BSI stands ready to support the Committee Members in the progress of this Bill and that of the Welsh Government on how standards can make a significant contribution to public procurement. BSI will be making remarks specifically in relation to procurement and how the Welsh Government could use standards to support their legislative goals.**

2. Standards and Procurement

BSI has made significant headway on promoting the use of standards in improving the efficiency of public procurement, we believe that we can assist the Welsh Government in their goal for a 'more equal, more sustainable, and more prosperous Wales'.ⁱ

In the Bill, the Welsh Government has linked procurement to other major strategic goals such as the Welsh economy, net-zero, green recovery.ⁱⁱ Standards are a vital tool in helping to deliver on these key objectives.

BSI has previously worked closely with Cardiff Council to increase its procurement capacityⁱⁱⁱ. To assist Cardiff Council, BSI's consultants undertook a bespoke project to assist the local authority improve its procurement procedures.^{iv} For more information on BSI work with the council to help improve the authority's procedures visit the link provided.

Such knowledge within BSI can help public sector organisations on a small or large scale achieve procurement goals and could also be applied to the Welsh Government's procurement initiatives in Wales.

3. Standards to support public procurement

Within its national catalogue, BSI has many standards that can be used to support public procurement which will be of interest to the Committee's inquiry:

- 3.1 In 2019 BSI published a new British Standard, *BS 95009 Public sector procurement – Generic requirements for organizations providing products and services*, and this addresses many of the issues highlighted in the Green Paper. This British Standard is intended to simplify access to the public sector procurement process, including for SMEs. It offers a single framework to provide greater transparency and accountability when contracts are

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awarded and enables organizations to demonstrate that they can be trusted to behave ethically, deliver without compromising quality or safety, and still offer value for money.

3.2 The standard recognises that public sector contracts vary considerably in complexity, value and risk. It does this by applying requirements in a proportionate manner to different types of contracts. As such, SMEs bidding for small, low value projects need to demonstrate trust at a different level to large organizations bidding for complex, long-term infrastructure projects.

4. Public Procurement Standard - BS 95009:2019

BS 95009:2019 Procurement to the public sector – generic requirements for organizations providing products and services^v was published as the first generic, non-sector-specific standard for procurement in the UK public sector.

It specifies how an organization can demonstrate that it is:

- a) Suitable as an external provider of products and services to the public sector
- b) Able to reliably deliver products and services meeting the requirements of the contracting authority

The requirements are generic and apply to any organization, regardless of type, size, or the nature of its activities.

The criteria set out can be used by organizations which are:

- 1) Contracting out provision of products and services to external providers
- 2) Acting as external providers

It is important that UK public sector procurement is fair, transparent, and accessible to smaller or newer organizations. BSI firmly believes that BS95009:2019 can go some way to achieve the required goals through the planned legislation, and build transparency and trust in the process

The standard provides criteria and guidance that enable potential suppliers to demonstrate their generic trustworthiness, transparency, and ethical practice. At the same time, procuring bodies can use the standard to assess bidders more readily and accurately. Overall, the standard should simplify the process, reduce bureaucracy, ensure due diligence, and provide assurance that fairness prevails in the awarding of contracts.

5. Other standards to support Social Partnerships and Procurement

There are many other existing standards that can be used by businesses to demonstrate their suitability for public sector contracts and by procurers as part of selection criteria. These will support the Welsh Government's goals on social partnerships. They include:

- Sustainable procurement (BS ISO 20400)
- Social responsibility (BS ISO 26000)
- Environmental management systems (BS EN ISO 14001)
- Quality management systems (BS EN ISO 9001)

- Organizational governance (BS 13500)
- Risk management (BS ISO 31000)
- Information security (BS EN ISO 27001)
- Anti-bribery management (BS ISO 37001)
- Collaborative business relationships (BS ISO 44001)
- Value management (BS EN 16271 & BS EN 12973)

6. Next Steps

BSI would welcome further consideration by the Committee on how standards can support the Welsh Government's aims on social partnerships and procurement.

We are in touch with the Welsh Government on the Bill, but should the Committee require further information on standards to support public procurement, BSI has a broad network of experts and is well-placed to support initiatives to improve both the practice and perception of public procurement and we would happily assist.

Further Information

BSI would be pleased to provide further information or to discuss the content of this submission. For further information please contact:

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ⁱ Welsh Government – Social Partnership and Public Procurement (Wales) Bill <https://senedd.wales/media/hlelzeqm/pri-ld15134-em-e.pdf>

ⁱⁱ Ibid

ⁱⁱⁱ BSI and Cardiff Council Procurement project <https://www.bsigroup.com/en-GB/our-services/knowledge-services/consulting/case-study-cardiff-council/>

^{iv} Ibid

^v <https://knowledge.bsigroup.com/products/public-sector-procurement-generic-requirements-for-organizations-providing-products-and-services/standard>